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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,186	01/18/2001	Travis Parry	10002915-1	6844

7590   06/02/2005

HEWLETT-PACKARD COMPANY
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EXAMINER
EBRAHIMI DEHKORDY, SAEID

ART UNIT	PAPER NUMBER
2626	

DATE MAILED: 06/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *20* is/are allowed.

6)☒ Claim(s) *1-3 and 5-19* is/are rejected.

7)☒ Claim(s) *4* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☒ Other: Detailed Action

Response to Amendment

1.   Applicant's arguments filed 11/22/04 have been fully considered but they are not

persuasive. Applicant argues that at least one data download command for said data from said

web server to a responsive remote server supporting said network address, Examiner points out

that Gase teaches where the sever 24 of Fig.1, column 3 lines 16-20 request a download of the

specific URL by accessing the via the WWW. Examiner further points out that the server which

is external or remote within the internet or WWW is inherent since the retrieved URL is located

at the external or remote server with in the WWW. Applicant also argues that the Gase does note

describe downloading data from the web server and downloading the data in the printer.

Examiner disagrees and points out the Gase, column 3 lines 24-26 where the lists of the received

URLs are downloaded to the queue 28 of Fig.1.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on
> sale in this country, more than one year prior to the date of application for patent in the United States.

3.   Claim 1-2,5-6,8-17 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by

Gase (U.S. patent 6,184,996)

Regarding claim 1,17 Gase discloses: A method of downloading web-based

data, comprising: providing a printer incorporating a web server (please note Fig.1 item

14 the printer and items 24 and 26 the HTTP server and browser, column lines 12-16)

said web server linked to a network (please note Fig.1 item 14 the printer which

includes the server 24 and browser 26 which communicate with the internet and clients,

column 3 lines 1-22) initiating a data download request to said web server by specifying

a network address associated with said data (please note Fig.1 column 3 lines 40-43

and also lines 16-24) communicating at least one data download command for said data

from said web server to a responsive remote server (Examiner points out that Gase

teaches where the sever 24 of Fig.1, column 3 lines 16-20 request a download of the

specific URL by accessing the via the WWW. Examiner further points out that the server

which is external or remote within the internet or WWW is inherent since the retrieved

URL is located at the external or remote server with in the WWW) supporting said

network address (please note column 3 lines 15-23 and also lines 31-36) downloading

said data specified by said network address via said responsive server (please again

note column 3 lines 12-23) transmitting said downloaded data from said responsive

remote server (Examiner points out that Gase teaches where the sever 24 of Fig.1,

column 3 lines 16-20 request a download of the specific URL by accessing the via the

WWW. Examiner further points out that the server which is external or remote within the

internet or WWW is inherent since the retrieved URL is located at the external or remote

server with in the WWW) to said web server (please note column 3 lines 12-23)

receiving said downloaded data by said web server and storing said downloaded data in

memory of said printer (please note column 3 lines 51-58).

Regarding claim 2 Gase discloses: The method of claim 1, wherein initiating a

data download request comprises sending a URL to said web server (please note

column 3 lines 16-20).

Regarding claim 5 Gase discloses: The method of claim 4, wherein specifying data download scheduling instructions comprises scheduling said data downloads to occur at a plurality of regular intervals (please note column 3 lines 51-57).

Regarding claim 6 Gase discloses: The method of claim 4, wherein specifying data download scheduling instructions comprises scheduling said initiating a data download request at times of no peak internet activity (please note column 4 lines 37-47).

Regarding claim 8 Gase et al discloses: The method of claim 3, wherein said web-based device is selected from the group consisting of computer workstations, phones, and personal display assistants (please note column 2 lines 65-67 and column 3 lines 1-23).

Regarding claim 9 Gase discloses: The method of claim 1, wherein initiating a data download request comprises accessing a data entry form on a web page displayed by said web server with a web browser of a web-based device (please note column 3 lines 16-30).

Regarding claim 10 Gase discloses: The method of claim 9, wherein said data entry form comprises a CGI script containing a plurality of open data fields for entering one or more data download parameters (please note column 4 lines 9-20).

Regarding claim 11 Gase discloses: The method of claim 10, wherein said data download parameters include scheduling parameters for said initiating a data download request and wherein initiating a data download request comprises specifying data

download scheduling instructions into at least one of said plurality of open data fields (please note column 4 lines 37-47).

Regarding claim 12 Gase discloses: The method of claim 11, wherein initiating a data download request comprises said web server interpreting said data download scheduling instructions and initiating said data download pursuant to said instructions (please note column 3 lines 38-50).

Regarding claim 13 Gase discloses: The method of claim 1, further comprising providing a web page generated by said web server, said web page displaying the status of said receiving and said storing of said downloaded data and providing user interface printing options for printing said downloaded data (please note column 3 lines 7-11).

Regarding claim 14 Gase discloses: The method of claim 1, wherein said network comprises the World Wide Web (please note Fig.1 item as all the devices are connected to the WWW.

Regarding claim 15 Gase discloses: The method of claim 1, wherein said network comprises an intranet (please note column 2 lines 27-30).

Regarding claim 16 Gase discloses: The method of claim 1, wherein initiating a data download request comprises initiating a data download request from a remotely located web-based device (please note column 3 lines 12-23).

Regarding claim 19 Gase discloses: The system of claim 17, wherein said web-based device is adapted send said data download requests to said web server via a web browser (please note column 3 lines 16-23).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

5.   Claim 3,7 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gase

(U.S. patent 6,184,996) in view of Augustine et al (Pub. No.: U.S. 2003/0182263)

Regarding claim 3 and 18 Gase does not quite disclose: wherein said URL is

sent over said network by an SMTP client of a web-based device. On the other hand

Augustine et al disclose: The method of claim 2, wherein said URL is sent over said

network by an SMTP client of a web-based device (please note page 5 paragraph 0071

where the URL is sent through the SMTP).

Therefore it would have been obvious to a person of ordinary skill in art at the

time of the invention to modify Gase's invention according to the teaching of Augustine

et al, where Augustine et al teaches the way the URL is transmitted through SMTP

protocol for the purpose of making the transmission of the Url more internet efficient.

Regarding claim 7 Augusitne et la disclose: The method of claim 3, wherein said

SMTP client comprises conventional e-mail software (please note page 6 paragraph

0076).

Allowable Subject Matter

6.   Claim 20 is allowed.

The prior art of record fails to teach the scheduling a data download request via an SMTP.

7.   Claim 4 objected to as being dependent upon a rejected base claim, but would be

allowable if rewritten in independent form including all of the limitations of the base claim and

any intervening claims.

Contact Information

> Any inquiry concerning this communication or earlier communications from the
> examiner should be directed to *Saeid Ebrahimi-Dehkordy* whose telephone number
> is (571) 272-7462.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to

5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Kimberly Williams, can be reached at (571) 272-7471.

Any response to this action should be mailed to:

Assistant Commissioner for Patents
Washington, D.C. 20231
Or faxed to:
(703) 872-9306, or (703) 308-9052 (for *formal* communications; please
mark
"EXPEDITED PROCEDURE")   ·

Or:
(703) 306-5406 (for *informal* or *draft* communications, please label
"PROPOSED" or "DRAFT")
Hand delivered responses should be brought to Knox building on 501 Dulany
Street, Alexandria, VA.

Any inquiry of a general nature or relating to the status of this application should be
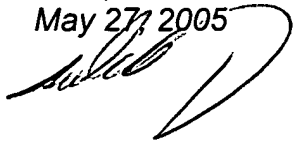directed to the Group Receptionist whose telephone number is (703) 305-4750.

Saeid Ebrahimi-Dehkordy
Patent Examiner
Group Art Unit 2626
May 27, 2005

KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER